

US EPA ARCHIVE DOCUMENT

Enbridge Energy, Limited Partnership
1601 Pratt Avenue
Marshall, Michigan 49068



May 29, 2012

Mr. Ralph Dollhopf
Federal On-Scene Coordinator and Incident Commander
U.S. Environmental Protection Agency
801 Garfield Avenue, #229
Traverse City, MI 49686

Re: In the Matter of Enbridge Energy Partners, L.P., *et al*,
Docket No. CWA 1321-5-10-001

Dear Mr. Dollhopf:

As a follow-up to our letter dated May 24, 2012, Enbridge Energy, Limited Partnership (Enbridge) reiterates our serious concerns about the effectiveness and potential detrimental consequences related to the re-installation of Control Point E 4.5. Enbridge believes that additional data collection must be completed prior to a determination as to whether or not the containment structure should be re-deployed. The following is a summary of some of our concerns:

- Control Point E 4.5 cannot provide total containment of the Morrow Lake fan.
- Installation of Control Point E 4.5 may create an increase in mobility of sediment from the Morrow Lake fan due to increased velocity at the base of the curtain.
- Sediment flux modeling does not show a difference in Morrow Lake with or without Control Point E 4.5 in place under 'normal' flow conditions.
- The movement of materials in Morrow Lake needs to be better understood, as this may in fact have occurred with or without Control Point E 4.5 installed.
- During high flow events the control point will likely be totally ineffective and could sustain significant damage.
- Descriptions and delineation maps provided by U.S. EPA on in the May 23, 2012 letter do not accurately reflect conditions within Morrow Lake.
- Control Point E 4.5 can only be deployed from late spring to mid-fall and thus does not achieve the directive's stated objective of containing and preventing the migration of materials towards the Morrow Lake Dam.
- The presence of Control Point E 4.5 in Morrow Lake is a public safety hazard and will likely prevent the reopening of river segment 10.
- Further evaluation is required to determine if the presence of Control Point E 4.0 in Morrow Lake could also cause negative consequences to movement of sediment.

Enbridge believes that the prudent approach to addressing EPA's stated concerns should not be reactionary, rather it should be based on good science and reliance on our historical knowledge. As outlined in our meeting of May 23, 2012, Enbridge intends to collect additional data to determine the appropriate next steps. This additional data collection has commenced and includes: additional poling; monitoring of select poling locations; collection of additional sediment cores; collection of sheen samples downstream and within Morrow Lake for forensic chemistry evaluations; and collection of velocity measurements adjacent to Control Point E 4.0, where E 4.5 was located in 2011, at the west end of Morrow Lake, and at other select locations.

Enbridge also intends to review the current configuration and design of the control point should further studies show such an installation has merit.

We therefore request that the U.S. EPA's May 23, 2012 directive be withdrawn and a decision on the re-deployment of Control Point E 4.5 be made subsequent to the completion of a more thorough evaluation of the effectiveness and potential detrimental consequences related to the re-installation of this containment structure.

Please contact myself or Enbridge's Incident Commander John Sobojinski if you have any questions.

Sincerely,

ENBRIDGE ENERGY, LIMITED
PARTNERSHIP
By Enbridge Pipelines (Lakehead) L.L.C.
It's General Partner

A handwritten signature in black ink, appearing to read 'Richard Adams', with a long horizontal line extending to the right.

Richard Adams
Vice President, U.S. Operations

CC: John Sobojinski, Enbridge
Michelle DeLong, MDEQ
Mark DuCharme, MDEQ